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Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-fourth year

Identical letters dated 10 September 2009 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

I regret to once again draw your attention to continuing illegal settlement activities by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem.

In yet another repugnant display of defiance, the Israeli Government this week announced the official approval of the construction of hundreds of more new settlement units on confiscated lands in the Palestinian Territory it has militarily occupied since 1967. In this regard, it has been announced that at least 450 settlement units, including in a new settlement in the Jordan Valley area, are planned to be built in addition to Israel's declared intention to proceed with the construction of over 2,000 other settlement units throughout the West Bank, including in and around East Jerusalem.

At the same time, in addition to numerous other ongoing colonization activities, I must inform you of recent reports concerning unlawful and provocative excavations that continue to be perpetrated by Israel in occupied East Jerusalem. The Al-Aqsa Foundation for Heritage and Waqf has reported that the "Israeli Antiquities Authority", in cooperation with the "Elad" settler organization, has already dug a 120-meter long tunnel from underneath the Silwan neighbourhood in Jerusalem towards the Al-Haram Al-Sharif compound in the Old City of Jerusalem. Such illegal actions must be vociferously denounced, for, in addition to altering the character and geographic nature of occupied East Jerusalem, such actions also risk further aggravating political and religious sensitivities, tensions and instability in the City, which are already at high levels.

The illegality of all Israeli settlement activities in the Occupied Palestinian Territory, including in East Jerusalem, has been definitively established and is absolutely indisputable. The international consensus in this regard is firm, deriving its strength from the rules and principles of international law that prohibit any

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colonization activities by an occupying Power in the territory it has occupied and prohibit completely the acquisition of territory by force.

We thus reiterate that Israel's settlement activities — including, but not limited to, the construction of settlements and network of settlement infrastructure, the transfer of Israeli settlers and permissiveness regarding their violent and criminal behaviour, and the construction of the annexation Wall in the Palestinian Territory — constitute deliberate and grave breaches of international law, including provisions of the Fourth Geneva Convention, Protocol I Additional to the Geneva Conventions and the Rome Statute of the International Criminal Court, as well as blatant violations of numerous Security Council and General Assembly resolutions, which explicitly call upon Israel to, inter alia, cease immediately all settlement activities and abide by its legal obligations as an occupying Power.

Of course, Israeli settlement activities also constitute blatant disrespect of the 9 July 2004 advisory opinion of the International Court of Justice, which directly addressed Israel's illegal settlement campaign in the Occupied Palestinian Territory and the unquestionable link to its construction of the Wall, both unlawful enterprises aimed at vastly altering the physical landscape and demographic composition of the Territory, particularly in and around East Jerusalem.

In addition, Israel's continued pursuit of settlement activities is in direct contravention to its obligations under the Quartet road map to freeze all settlement activities, including "natural growth", and to dismantle all settlement outposts erected since March 2001. Thus, rather than committing itself to the cause of making peace and conducting itself in a manner consistent with its legal obligations and international commitments and aimed at building confidence and trust, Israel remains intransigent, choosing instead to continue this destructive and unlawful settlement campaign, placing further obstacles on the path to peace.

Indeed, Israel's declared intention to continue settlement construction represents a direct affront to the international and regional efforts, in particular the efforts of the United States at this critical juncture, aimed at creating a climate appropriate for resumption of peace negotiations. Once again, Israeli's readiness, willingness and credibility as a partner for peace are in serious question.

Furthermore, as Israel continues to act illegally, unilaterally and deceitfully, it is not only undermining faith in the peace process and minimizing the prospects for its resumption, it is also methodically undermining the prospects for physically realizing the two-State solution for peace on the basis of the 1967 borders. This must be cause for alarm for the international community, and requires that appropriate and concerted action be taken by all concerned, including the Security Council, to bring an end to such Israeli impunity and flagrant disregard for the law and to truly promote the international consensus in rejection of settlement activities and in support for the two-State solution and the achievement of a just, lasting and comprehensive peace. The Palestinian leadership reiterates its readiness to uphold its obligations and to cooperate with the international community in this regard towards achievement of our common goal of justice and peace.

This letter is in follow-up to our previous 342 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 3 August 2009 (A/ES-10/459-S/2009/401), constitute a basic record

of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer of Palestine to the United Nations

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Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-fourth year

Identical letters dated 28 September 2009 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

As we begin the sixty-fourth session of the General Assembly, we are reminded once again of the importance of this organization as the upholder and defender of international law in all circumstances and for all peoples. Yet even as the declarations spoken by world leaders before the General Assembly continue to resonate around the globe, the renewed sense of hope, prompted by their pledges to uphold the law and the purposes and principles of the United Nations, including by pursuit of the long overdue just and peaceful settlement of the question of Palestine, is being vehemently tested by the unchecked aggression and intransigence of Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem.

We write to you today with urgency to draw attention to the hostile and aggressive actions perpetrated on Sunday, 27 September, in Occupied East Jerusalem at the sacred compound of Al-Haram Al-Sharif. The Israeli occupying forces attacked Palestinian worshippers at Al-Haram Al-Sharif after midday prayers as they attempted to fend off over 150 Israeli extremists from breaking into the Holy Compound under the watch and guard of the occupying forces. Tear gas, rubber-coated steel bullets and batons were used in the Israeli attack against the Palestinian worshippers, which resulted in the injury of at least 40 civilians and the arrest of 5 others. Among the injured were 73-year-old Mohamad Al-Julani, who was shot by a rubber-coated steel bullet in the eye, 20-year-old Rami Al-Fakhourin, who was also shot in the eye by a rubber-coated steel bullet, and 31-year-old Adel Al-Alsilwadi, who was shot by a rubber-coated steel bullet in the chest.

Following the attack at Al-Haram Al-Sharif, the occupying Power deployed large military and police contingents throughout Occupied East Jerusalem and imposed the regrettably familiar punitive measures of collective punishment by closing off the Holy Compound.

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The clashes that ensued following the confrontation were painfully reminiscent of previous provocations, sanctioned by successive Israeli governments, that resulted in dangerous escalations on the ground in the Occupied Palestinian Territory. In this regard, it is imperative to recall that the provocative act perpetrated by Ariel Sharon, under the guard of hundreds of occupying forces, at Al-Haram Al-Sharif nine years ago to this day, on 28 September 2000, was the act that ignited the high tensions prevailing and led to the outbreak of the second Palestinian intifada (uprising) against the Israeli occupation.

Moreover, it cannot be overlooked that such provocations are constantly fuelled by the continuing incitement of Israeli officials who promote and support Israeli settlers and extremists whose actions fuel religious tensions, hostility and needless violence. Stark examples of such malicious, racist and aggressive incitement are the statements made by Arieh Eldad and Michael Ben Ari, two radical members of the Israeli Knesset, who criticized the Israeli occupation authorities for not cracking down hard enough on Palestinian worshippers. In the same vein, Uri Ariel, another radical Israeli parliamentarian, declared that the Israeli forces should do more to allow right-wing Israeli zealots into Al-Haram Al-Sharif.

As we alert the international community to the escalating tensions and instability on the ground, we must reiterate that the events of the past 24 hours are not the result of chance. Rather, they are the outcome of predetermined and wilful Israeli efforts, with official support, complicity and participation, to dodge commitments made in the peace process and thus continue to avert the resumption of this process towards the realization of its objectives, on which there is a firm international consensus. Undeniably, a clear trend exists of actions undertaken by successive Israeli governments to sabotage peace efforts, particularly when the international calls and the international will to end the occupation and achieve a just and lasting peace in the region are intense, as they are in the current period.

In this regard, it should be recalled that in 1996, Benjamin Netanyahu, Prime Minister at the time, provoked and fuelled a needless episode of violence and bloodshed by permitting the clandestine digging of a tunnel under Al-Haram Al-Sharif by Jewish extremists who publicly declare their goal of demolishing the Holy Compound. And in 2000, even as vigorous efforts were being exerted to advance the peace process by the United States administration of President Bill Clinton, it was under the watch of then Prime Minister Ehud Barak that opposition leader Ariel Sharon was permitted to enter Al-Haram Al-Sharif, which inflamed sensitivities and sparked widespread Palestinian protests, launching the intifada, and a violent Israeli response resulting in thousands of deaths and injuries as well as the imposition of severe and unlawful measures of collective punishment from which the Palestinian civilian population continues to suffer to this very day.

Moreover, we have repeatedly witnessed the escalation of Israeli colonization activities throughout all stages of the peace process over the past 16 years, in total contradiction to the goal of the peace process and in total defiance of the international will and consensus rejecting Israeli settlement activities and calling for their complete cessation. It is without doubt that such continuing illegal Israeli actions in the Occupied Palestinian Territory, particularly in and around Occupied East Jerusalem, have time and again obstructed peace efforts and called into question Israel's credibility as a peace partner and the viability of the process itself.

At this critical juncture, there is a renewed and overwhelming international rallying of support to restart final status negotiations between Palestinians and Israelis towards bringing a definitive end to the Israeli occupation that began in 1967, establishing a viable, contiguous, and sovereign Palestinian state, and hence achieving a just and lasting peace in the region. This was clearly evident during the general debate of the General Assembly, including, inter alia, in the pronouncements of United States President Barack Obama, and the Palestinian leadership, in line with its principled commitment to a peaceful resolution of the conflict, welcoming this international support.

However, the general debate also exposed the other part of the stalled peace equation: the clear determination of the current Israeli government to persist in its intransigence and obstruct any meaningful effort to reach peace. This was evident in the speech made by Israel's Prime Minister, who reaffirmed his government's disdain for the United Nations and the resolutions it has adopted on the question of Palestine on the basis of international law and principles. This disregard is also painfully evident on the ground, especially in Occupied East Jerusalem, where settlement activities persist, settlers are being transferred daily, and Palestinian civilians continue to be forcefully evicted from their homes, and their socio-economic life and connections to their brethren in the rest of the Occupied Palestinian Territory choked by the severe restrictions imposed by the occupying Power. Indeed, as Israeli bulldozers and occupation authorities continue to create new colonial facts on the ground in the Occupied Palestinian Territory, including East Jerusalem, the Israeli government is also trying to provoke violence and tension in order to buy time to perpetrate yet more violations of international law and commitments. This requires immediate attention and redress.

The international community cannot stand idly by as Israel, the occupying Power, persists in illegal and aggressive actions that will only serve to inflame tensions and instability and further conflict. Instead, the international community, including the Security Council, must exert the necessary efforts to uphold its responsibilities and legal obligations to protect and enforce international law. We must stand true to our agreed principles and defend international law from being turned into hollow words and empty promises by the intransigent behaviour of those who continue to act as States above the law.

We thus appeal for urgent action to quickly and decisively prevent the situation from further escalation and assist in promoting the appropriate environment, one characterized by respect for international law, for the resumption of accelerated peace negotiations for the achievement of the two-State solution on the basis of the 1967 borders, in accordance with the relevant Security Council resolutions, the principle of land for peace, the Arab Peace Initiative and the Roadmap.

This letter is in follow-up to our previous 343 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 10 September 2009 (A/ES-10/461-S/2009/453), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer of Palestine to the United Nations

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Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Letter dated 29 September 2009 from the Permanent Representative of Egypt to the United Nations addressed to the Secretary-General

I have the honour, in my capacity as Chair of the Coordinating Bureau of the Non-Aligned Movement, to enclose herewith the statement issued by the Coordinating Bureau of the Non-Aligned Movement on the situation in the Occupied Palestinian Territory, including East Jerusalem, following the attacks by the Israeli settlers and the Israeli occupying forces at Al-Aqsa Mosque and the Al-Haram Al-Sharif compound (see annex).

I kindly request that the present letter and its annex be circulated as a document of the tenth emergency special session of the General Assembly, under agenda item 5.

(*Signed*) Maged **Abdelaziz**
Ambassador and Permanent Representative

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Annex to the letter dated 29 September 2009 from the Permanent Representative of Egypt to the United Nations addressed to the Secretary-General

Statement by the Coordinating Bureau of the Non-Aligned Movement on the Situation in the Occupied Palestinian Territory, including East Jerusalem*

The Members of the Non-Aligned Movement (NAM) express their serious concern about the situation in the Occupied Palestinian Territory, including East Jerusalem, as a result of continuing illegal actions by Israel, the occupying Power. In particular, NAM expresses grave concern about the ongoing illegal Israeli settlement colonization campaign being carried out in the Occupied Palestinian Territory, with shocking intensity in and around Occupied East Jerusalem, and the inhumane, unlawful Israeli blockade that continues to be imposed on the Palestinian civilian population in the Gaza Strip and the resultant dire humanitarian crisis.

NAM expresses alarm at recent attacks carried out by the occupying forces, including extremist settlers, against Palestinian worshippers at Al-Haram Al-Sharif compound in Occupied East Jerusalem. NAM condemns Israel's continuing provocations, aggression and illegal actions against the City's holy sites and against its Palestinian inhabitants.

NAM reiterates its condemnation of all illegal Israeli actions and provocative measures aimed at altering the demographic composition, geographic nature, character and status of Occupied East Jerusalem and the rest of the Occupied Palestinian Territory. NAM expresses grave concern that, in defiance of the clear international consensus rejecting such colonization activities and in flagrant breach of international law, Israel continues to construct settlements and the Wall in the Occupied Palestinian Territory, especially in and around East Jerusalem, where the occupying Power also continues, inter alia, to demolish Palestinian homes, to evict Palestinian families from their homes, to confiscate Palestinian land and properties and to carry out excavations in the City, including in the vicinity of Al-Haram Al-Sharif compound.

NAM reiterates its demand for the immediate cessation of all Israeli violations of international law, including humanitarian and human rights law, including an end to its illegal blockade on the Gaza Strip and all settlement activities, which are deepening the suffering of the Palestinian people and undermining the prospects for peace. NAM calls upon the international community, particularly the Security Council, to uphold its responsibilities and to take the necessary action to compel Israel, the occupying Power, to comply with all of its legal obligations, including under the Fourth Geneva Convention, and with its commitments under the Quartet Road Map.

NAM calls for a redoubling of efforts aimed at the achievement of a just, lasting and comprehensive peace on the basis of the relevant United Nations resolutions, the Madrid terms of reference, the Arab Peace Initiative and the Road Map. In this regard, NAM reaffirms its unwavering support for the realization by the Palestinian people of their inalienable rights, including their right to self-

* Also circulated under the symbol A/64/473-S/2009/507.

determination, with the establishment of their contiguous, viable and independent State of Palestine, with East Jerusalem as its capital, and a just solution for the plight of the Palestine refugees on the basis of General Assembly resolution 194 (III).

New York, 29 September 2009

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Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-fourth year

Identical letters dated 5 October 2009 from the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

I write to you in follow-up letter to our recent letter (A/ES-10/462-S/2009/494), regarding the tense and deteriorating situation in the Occupied Palestinian Territory, especially in Occupied East Jerusalem, due to the blatant provocations and illegal actions that continue to be committed by Israel, the occupying Power.

On Sunday, 4 October 2009, the occupying Power once again used excessive force in repressing Palestinian worshippers trying to defend Al-Haram Al-Sharif and Al-Aqsa mosque from incursions by extremist and militant Israeli settlers, whose repeated threats continue to incite further extremism and provoke an already volatile situation. Among those brutally beaten and detained by the Israeli occupying forces was elected Jerusalem Parliamentarian Hatem Abdel Qader, who was also fined nearly 6,000 dollars and banned from the Occupied City, his birthplace and home.

The recent clashes, as well as the widespread arrest and detention campaign and deployment of occupying forces in East Jerusalem, have also been accompanied by increasingly racist and provocative remarks against the indigenous Palestinian population of the city. These provocations are being carried out in addition to the incessant, aggressive and illegal Israeli colonization measures being perpetrated in Occupied East Jerusalem and the rest of the Occupied West Bank, which continues to witness the construction and expansion of settlements and all related settlement infrastructure and the continued deliberate transfer of Israeli settlers.

Construction is under way on approximately 800 new settlement units in 34 different illegal Israeli settlements across the Occupied Palestinian Territory. In addition, in a flagrant and defiant demonstration of Israel's total disdain for the clear international consensus in rejection of all settlement activities, plans are apparently proceeding for the approval of construction of a new Israeli settlement in the village of Al-Walajeh near Bethlehem — deep into the Occupied West Bank.

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Such illegal actions and incitement only reconfirm the Palestinian belief that the current right-wing Israeli Government is only interested in impeding peace efforts in the region and establishing a vast web of illegal facts on the ground that directly contradict and sabotage the very principle of the two-State solution for peace on the basis of the 1967 borders.

Indeed, while the Palestinian side continues to do its utmost to uphold its obligations and commitments and to promote an environment conducive for the pursuit of a just and final peace settlement, Israel, the occupying Power, continues to fervently attempt to alter the demographic composition, geography, character and status of Occupied East Jerusalem and the rest of the Occupied Palestinian Territory, not seeking peace but seeking to annex de facto even more Palestinian land, in flagrant violation of international law and United Nations resolutions. The persistence of such illegal, immoral and aggressive behaviour will not only cause the further deterioration and destabilization of the situation on the ground, with the consequent heightened suffering and hardship for the Palestinian civilian population, but will also nullify any attempts for a resumption of the peace process.

Such belligerent disrespect for international humanitarian law and the relevant United Nations resolutions, which undoubtedly represent the will of the international community, must be a cause of grave concern to us all. Further, it must be a strong incentive for urgent and unwavering efforts, including by the Security Council, to compel Israel to abide by its legal obligations, including those to which it has publicly committed itself, and to cease behaving as though it were a State above the law. Wavering in this regard, including by standing idly by as Israel persists with this reckless and dangerous campaign, would be extremely detrimental to the efforts to revive the peace process and would serve as a severe blow to the very credibility of these ongoing international peace efforts. We thus urge rapid and decisive action to prevent this volatile situation from escalating further.

This letter is in follow-up to our previous 344 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 28 September 2009 (A/ES-10/462-S/2009/494), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Feda **Abdelhady-Nasser**
Chargé d'affaires, a.i.